

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

EMANUEL LUNA

) MAGISTRATE NO. 19-2107

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Kevin A. Pacini, being duly sworn, do depose and state the following:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed since November 2018. I am currently assigned to the Pittsburgh Division of the FBI, Violent Crimes Task Force. In this capacity, I am charged with conducting investigations into violations of federal criminal law including organized crime, drug and firearm violations as well as armed robberies, including bank and commercial robberies.

2. I received basic law enforcement training at the FBI Academy in Quantico, Virginia, where I received training in the investigations of violations of federal law, including the offenses discussed below. During the course of my training and employment, I have become familiar with the methods and techniques associated with the commission of robberies as well as the methods and techniques used to investigate them. During the course of my training and involvement in these investigations, I have been involved in the use of the following investigative techniques: interviewing informants and cooperating witnesses, conducting physical surveillance and electronic surveillance, and preparing and executing search warrants which have led to seizures of contraband and evidence of criminal activity.

3. I am currently participating in the investigation of Emanuel LUNA. This affidavit is submitted in support of a criminal complaint charging Emanuel LUNA with violating 18 U.S.C.

§ 2113(a) Attempted Bank Robbery, on or about August 13, 2019. Because this affidavit is being submitted for the limited purpose of supporting probable cause to arrest as stated herein, I have not included each and every fact known to me concerning this investigation.

4. On August 13, 2019, at approximately 3:19 PM, an unknown male, later identified as Emanuel LUNA, attempted to rob the First National Bank, located at 1114 East Carson Street, Pittsburgh, PA 15203. First National Bank is an institution the deposits of which are insured by the Federal Deposit Insurance Corporation. LUNA was in a black and silver wheelchair and wore a black baseball hat, dark hooded zip up sweatshirt, tan undershirt, black and gray shoes, and blue gloves. LUNA had a purplish colored bag with white writing that said, "METRO." Upon entering the bank, LUNA approached the teller counter and handed the teller a note that stated he had a bomb and demanded money. The teller activated the alarm and used her telephone to call the manager. Prior to receiving money from the teller, LUNA wheeled himself to the front door and exited the bank.

5. Responding law enforcement discovered a black and silver wheelchair near the corner of East Carson Street and South 12th Street, which matched the description of the one utilized by LUNA in the attempted robbery.

6. A canvas for surveillance footage around the bank revealed LUNA entered a Port Authority Bus at approximately 3:27 PM near the corner of East Carson Street and South 13th Street. At the time LUNA is seen on surveillance video after the attempted robbery he was using a cane to walk and was not in a wheelchair. LUNA was wearing the same clothes he wore during the robbery.

7. On August 13, 2019, following a press release regarding the attempted bank

robbery by a male in a wheelchair, an O'Hara Township Police Officer advised the Pittsburgh Bureau of Police that on August 13, 2019, at approximately 3:01 AM, the O'Hara Township Police Officer had contact with a male in a wheelchair who he positively identified as LUNA. Upon review of photos from the bank surveillance on August 14, 2019, the O'Hara Township Police Officer positively identified LUNA as the individual he encountered.

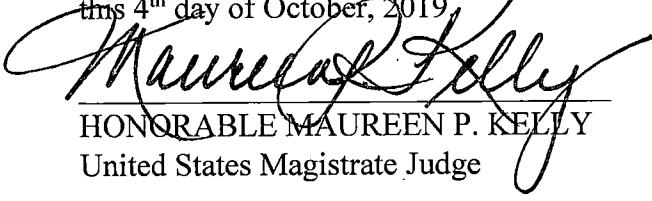
8. On August 15, 2019, the Pittsburgh Bureau of Police showed a photo array to an employee of First National Bank who was present during the attempted robbery. The employee positively identified LUNA as the robber.

9. On August 16, 2019, a latent fingerprint lift taken from the wheelchair recovered by law enforcement following the robbery was compared to the known impressions of LUNA. The comparison resulted in a positive individualizations as containing LUNA's left index finger impression.

10. Your affiant submits that, based upon the above-described evidence, there is probable cause to believe that LUNA committed the crime of Attempted Bank Robbery in violation of 18 U.S.C. § 2113(a), on or about August 13, 2019. The foregoing is true and correct to the best of my knowledge, information, and belief.


KEVIN A. PACINI
Special Agent, FBI

Sworn and subscribed to before me
this 4th day of October, 2019


HONORABLE MAUREEN P. KELLY
United States Magistrate Judge